



August 4, 2004

Mail Stop RCE
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Applicant(s): Zare et al.
Title: Bonded Phase Photopolymerized Sol-Gel Column and Associated Methods
Application No.: 09/978,515 Filing Date: October 15, 2001
Examiner: Therkorn, Ernest G. Group Art Unit: 1723
Docket No.: STNB.066US1 Conf. No.: 5049

Dear Sir:

Transmitted herewith are the following documents in the above-identified application:

- (1) Return Receipt Postcard;
- (2) This Transmittal Letter (in duplicate);
- (3) Request for Continued Examination (1 page);
- (4) Supplemental Information Disclosure Statement (2 pages);
- (5) PTO Form 1449 (2 pages);
- (6) 14 References;
- (7) Petition for Extension of Time (Two-Month) and Enclosure (4 pages); and
- (8) Check for \$1190.00.



No additional fee is required.



The fee has been calculated as shown below:

<input checked="" type="checkbox"/>	Fee for Request for Continued Examination	\$	\$770.00
<input checked="" type="checkbox"/>	Fee for Petition for Extension of Time (Two-Month)	\$	\$420.00
Total additional fee:		\$	\$1190.00



Conditional Petition for Extension of Time: If an extension of time is required for timely filing of the enclosed document(s) after all papers filed with this transmittal have been considered, an extension of time is hereby requested.



Please charge any additional fees required and credit any overpayment to our Deposit Account No. 502664.

EXPRESS MAIL LABEL NO.:

EV 437668156 US

Respectfully submitted,

K. Alison de Runtz
Reg. No. 37,119



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/978,515	10/15/2001	Richard N. Zare	M-11422-1P US	5049

36257 7590 07/19/2004

PARSONS HSUE & DE RUNTZ LLP
255 MONTGOMERY STREET
SUITE 1800
SAN FRANCISCO, CA 94111

EXAMINER

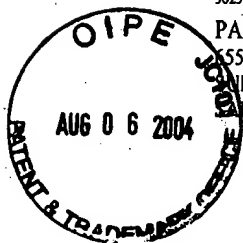
THERKORN, ERNEST G

ART UNIT

PAPER NUMBER

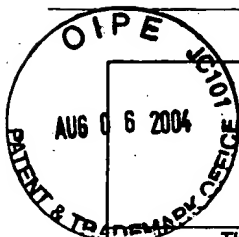
1723

DATE MAILED: 07/19/2004



Please find below and/or attached an Office communication concerning this application or proceeding.

STNB. 066US1
PHDR
ATTORNEY: JSH/ADR
ACTION: RESPONSE DATE: 7-1-04 (FINAL 10-1-04)
ACTION: NOTICE OF APPEAL DATE: 10-1-04
DOCKETED BY: AD DATE: 8-2-04
VERIFICATION BY: edw DATE: 8-3-04



Advisory Action

Application No.

09/978,515

Applicant(s)

ZARE ET AL.

Examiner

Ernest G. Therkorn

Art Unit

1723

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY (check either a) or b))

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☒ they raise the issue of new matter (see Note below);
- (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: The amendments to page 6 of the specification raise the issue of new matter.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☒ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: None.

Claim(s) objected to: None.

Claim(s) rejected: 1-5 and 7-11.

Claim(s) withdrawn from consideration: 12-35.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____.

Ernest G. Therkorn
Primary Examiner
Art Unit: 1723